



RECEIVED

MAR 06 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE ENTER 1600/2900

APPLICATION SERIAL NO. .... 10/051,307  
FILING DATE ..... January 22, 2002  
INVENTORSHIP ..... Ziyu Dai et al.  
GROUP ART UNIT ..... 1638  
EXAMINER ..... Unknown  
ATTORNEY'S DOCKET NO. .... 12571-E  
TITLE: Gene Promoters Isolated from Potato and Use Thereof

POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS WITH

STATEMENT UNDER 37 CFR 3.73(b)

Battelle Memorial Institute, the Assignee of the above-identified patent application, hereby appoints the following attorneys and agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: David P. Roberts, Reg. No. 23,032; Randy A. Gregory, Reg. No. 30,386; Mark S. Matkin, Reg. No. 32,268; Deepak Malhotra, Reg. No. 33,560; Mark W. Hendrickson, Reg. No. 32,356; David G. Latwesen, Reg. No. 38,533; George G. Grigel, Reg. No. 31,166; Keith D. Grzelak, Reg. No. 37,144; James D. Shaurette, Reg. No. 39,833; Donald Brent Kenady, Reg. No. 40,045; James E. Lake, Reg. No. 44,854; Jennifer J. Taylor, Reg. No. 48,711; Stephen R. May, Reg. No. 29,255 and Todd J. Harrington, Reg. No. 50,137.

EV085429359

Please change the correspondence address for the above-identified application to: David G. Latwesen, Ph.D. at WELLS ST. JOHN P.S., 601 W. First Avenue, Suite 1300, Spokane, WA 99201-3828. Telephone: (509) 624-4276; (PTO Customer No. 021567).

Date: 24 Feb 2003

By: Stephen R. May

Name: Stephen R. May

Title: Contracting Officer

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Ziyu Dai et al.Application No./Patent No.: 10/051,307 Filed/Issue Date: January 22, 2002Entitled: Gene Promoters Isolated from Potato and Use Thereof

Battelle Memorial Institute, a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of less than the entire right, title and interest.

The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 12816 Frame 0981, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

24 Feb 2003

Date

Stephen R. May

Typed or printed name

Stephen May

Signature

Contracting Officer

Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

RECEIVED  
MAR 06 2003  
TECH CENTER 1600/2900

EV085429359